SINGLE BENCH (4)

CF/1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION (C)NO. 64 OF 2007

PETITIONER : Suresh Dagla, S/o Shankar Lal Dagla, Aged about 34 years, R/o Priyadarshini Nagar, Bilaspur (CG).

P.R. No. 289/07 Varun Kumar Mishra
Presented on 9/1/07
Dated

Versus

RESPONDENTS :

1. State of Chhattisgarh, Through the Secretary, Department of Revenue, D.K.S. Bhawan, Mantralaya, Raipur (CG).
2. Collector, Bilaspur (CG).
3. Sub Divisional Officer (Revenue), Kota, District Bilaspur (CG).
4. Sarvan Gond, S/o Purusottam, R/o Uslapur, Sakri, Sub Division Kota, District Bilaspur (CG).

RECEIVED COPY
9/1/07
CLERK to A. G. BILASPUR

09/01/07

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

XI-HC-78

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..W.P.(S)..No...64/सन् 2007

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	22.01.2007 Shri B.D.Guru, counsel for the petitioner. Shri Vinay Harit, Dy. A.G. for the State. Heard. This petition is directed against the proceedings pending before the Sub Divisional Officer (Revenue), Kota at the instance of the respondent under Section 170–A of the Chhattisgarh Land Revenue Code. It is contended that the petitioner is also a member of Scheduled Tribe and therefore no proceedings under Section 170-A of the Code could be initiated against him and learned Sub Divisional Officer could not have taken cognizance on the application of the respondents. However, application of the petitioner of Annexure P-6 was not considered and the petitioner has been directed to file reply to the original application preferred by the respondent. I have heard counsel for the petitioner. I have perused the application and the order passed by the Sub Divisional Officer. The tribunal has registered proceedings under Section 170-A of the Code preferred by the respondent on the basis of the allegations made in the said application. It is open to the petitioner to contest the claim of the claimant before the tribunal by raising the objections which he has raised in the present petition and there is no jurisdictional error committed by the learned Sub Divisional Officer which calls for interference in the instant writ petition under Article 227 of the Constitution of India. With the aforesaid observation, the petition is disposed of. Sd/- Dhirendra Mishra Judge	

P.T.O.

31/1